

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

CONSTANCE BENNETT,

Plaintiff,

v.

**BOARD OF EDUCATION OF
WASHINGTON COUNTY JOINT
VOCATIONAL SCHOOL DISTRICT,**

Defendant.

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Case No. 08-CV-663

**JUDGE MARBLEY
Magistrate Judge Abel**

ORDER

This matter is before the Court on the Parties' Stipulation of Dismissal of Count 1 of Plaintiff's First Amended Complaint (Doc 43). Plaintiff, Constance Bennett, upon realizing that she had failed to meet the exhaustion requirements for associational discrimination claims under the Americans with Disabilities Act, agreed to voluntarily dismiss, without prejudice, that count of her Complaint.¹ Count 1 of the Amended Complaint is therefore **DISMISSED**.

IT IS SO ORDERED.

/s Algenon L. Marbley

**Algenon L. Marbley
United States District Judge**

Dated: May 7, 2010

¹Defendant had filed a Motion for Summary Judgment on that count (Doc. 22). Because the count is now dismissed, that Motion is **MOOT**.